

**Village of Point Edward**  
**PUBLIC MEETING MINUTES**  
**Zoning Amendment Application No. 1 of 2010**

Owner: Evangelu and Prime Katalifos

Re: Change the zoning to a site-specific Commercial zone which would permit the redevelopment of the site for the following permitted uses: office (including medical-dental office), retail store, personal service establishment. The applicant is also seeking a reduction in the required interior side yard setback.

Part of Lot 39, Plan 2 known municipally as 724 Michigan Ave.

Tuesday, April 13, 2010 at 6:05 p.m.

Point Edward Council Chambers, 135 Kendall Street, Point Edward, Ontario

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**Council Members Present:**

**Deputy Mayor Robson      Councillor MacKenzie**  
**Councillor Churchill**

**Staff Present:**

**CAO Cramp**

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**1. Introduction by Deputy Mayor Robson**

Those present at the meeting were advised that the Village of Point Edward will be considering a Zoning By-law Amendment application submitted by Evangelo and Prime Katalifos to change the zoning to a Site Specific Commercial zone which would permit the redevelopment of the existing site for the following permitted uses: office (including medical-dental office), retail store, and personal service establishment. The applicant is also seeking a reduction in the required interior side yard setback.

The Planning Act requires that a public meeting be held in order to allow the Council to receive input from the general public about the proposed Zoning Amendment. A notice of this meeting was placed in the Sarnia Observer and notices were posted and sent to owners in the area of the proposed rezoning.

Deputy Mayor Robson asked the applicant or agent to give an explanation of the Zoning Amendment.

**2. Applicant Comments**

**Resolution #1**

Moved by Councillor Churchill

Seconded by Councillor MacKenzie

THAT D'Arcy Bell be invited within the bar.

CARRIED.

Mr. Bell advised that he was present to address any concerns expressed by the public. The purchasers plan to build a one storey office building that will primarily be used as a medical-dental office. There are also other possible tenants. The owners plan to start construction in the fall. He is representing the purchaser. They propose a drastic change to what is there now. It will be a quality development that will fit in with the character of the surrounding area. Any concerns with the impact of traffic will be addressed in the site plan. There will be buffering to reduce any impacts with neighbouring properties. The proposed plan is very preliminary and is not complete at this point.

**3. Lambton County Planning Department Comments**

Dave Posliff provided his planning report to those present.

#### **4. Comments by General Public**

Peggy Cramp read the e-mail from Kim Bresee, Director of Planning and Building Departments, City of Sarnia.

There was no other correspondence received on the zoning by-law amendment application.

Deputy Mayor Robson asked for any comments from the public on the proposed Zoning amendment.

Goldie Thomas, 716 Michigan Ave. commented that there are two driveways to this property on Michigan Ave. The first one is a very short distance from the intersection and this could be a safety hazard. He noted that the one floor building will be 3 m. closer to the house on the west side which is pretty close. Mr. Posliff advised that the proposal is to use the one driveway on Michigan Ave. to the west. Mr. Thomas thought it would be safer to go in and out on Front Street.

Sandra J. Taylor, 32 Front Street North expressed her concerns regarding the commercial and rezoning of Milano's at Michigan and Front Street. There are many lots zoned for business use in the village. The list of available commercial property that she has seen are: the lot at Michigan/Arthur Street for lease, lot near the Holiday Inn for sale, Front and Exmouth Street lot for sale, lot at the Bingo Hall for lease, lot near the Open Grill for lease and the lot near Kendall and Michigan Street for sale. Point Edward residential land is currently much sought after and often at a premium with only two lots currently known to her as available, those at the waterfront. It is her position that more lots are wanted and needed for residential land in the Village of Point Edward. She does not want to see this property become a high traffic business. It is known that if it is not a drive-in restaurant, it would revert back to residential use in its zoning. As a close neighbour, she would like to see the zoning become residential. She also noted her concern that the personal service use could be for such things as tattoos and that a pharmacy would attract too much traffic. The owners on the corner are out west and will not be back for two weeks.

Mr. Thomas agreed with Ms. Taylor that residential would be a better zoning for this property. He noted that the personal service use is a grey area. Mr. Posliff provided the definition of the personal service use and said that it could be more specific.

Ms. Taylor indicated that there are business properties available. Councillor MacKenzie noted that the property has never been Residential.

Mr. Lou Longo advised that he is a Real Estate Agent and has marketed this property for 2 years. He noted that the owners want to retire after 32 years in business. All inquiries for the property have been for Commercial uses. It is a Commercial corner. He noted that the proposed use is excellent for low usage and low traffic. Many other uses that it is already zoned for could be much more intrusive. Uses that could already proceed include Tim Horton's, a 24 hr. Variety store, Harvey's Restaurant as examples. These uses would be much more intrusive. He noted that the four corners are presently being used for uses other than residential and that it is a four lane road. He has residential property and 2 or 3 vacant lots that can't be sold. There are also other residential properties available in the Village. This use would be very minimal impact.

Mr. Thomas would like to know the uses before the zoning is finalized. A small pharmacy would attract more traffic.

Councillor MacKenzie indicated that there should be some flexibility available in the zoning. They do not want it to be a Commercial use that would be detrimental to the surrounding area. Site planning will also address many of the concerns expressed.

Mr. Bell advised that the proposed purchaser is a doctor from the area and he wants the property to be very nice. He noted that a variety store would not be compatible with the surrounding area. They included some additional uses so that they have some possibilities for future tenants but he noted that the primary use is for a personal office. If a pharmacy is there, it would be to pick up prescriptions and would not be a Shopper's-type drug store. It would compliment the medical office and his practice. He will be a good resident and business. It will be a nice building that will look more like a house. There will be a lot more buffering and more privacy to the neighbours. It is presently zoned for a Burger King-type development. The proposed owner will be a good member of the community.

Councillor MacKenzie suggested that the personal service definition could be refined. He would also like two other concerns addressed: the hours of operation and requiring that parking be on site and that paid parking be prevented.

Councillor Churchill noted that the first driveway on Michigan Ave. is a problem. He noted that he feels the neighbours could co-exist, particularly with buffering. He fears that they could get something much worse under the present zoning. A drive-in restaurant that could be open until 1 a.m. would be the worse case scenario. The proposed permitted uses could be nailed down a bit more so that there is compatibility with the neighbours. The aesthetic issues will be dealt with in the site plan.

Ms. Taylor felt that the proposal was offensive and a lot of building on the lot.

Councillor Churchill noted that this is a valuable commercial property. Most issues can be addressed through the site plan.

Heather Beedie 34 Front Street indicated that she felt the building was too large for the lot. Possibly they could consider a cutback of one business. There will be parking at the back. She has talked to Mr. Bell. Her lot is for sale and she would like to see something respectable at this location.

Mr. Thomas asked for the square footage of building of the existing vs. another. Mr. Posliff advised that the proposed building would be 6,500 sq. ft. The existing building is smaller.

Deputy Mayor Robson commented that the site plan agreement will address many of the concerns and provide control for the development.

Councillor MacKenzie reiterated that parking is important and it will have to be considered in the site plan.

Mr. Thomas felt that the proposal for no paid parking was a good idea.

Deputy Mayor Robson noted that it is important to use the land in the wisest way as possible.

Councillor Churchill indicated that this is the most focal point in Point Edward. It is being proposed to develop it in a tasteful and tactful manner.

## **5. Conclusion by Deputy Mayor Robson**

Deputy Mayor Robson advised that Council may deal with this Zoning By-law amendment tonight immediately following this public meeting or they will deal with it at a future Council meeting.

Any person who wants further notice of the passage of the by-law should give their name, address and postal code to the Clerk prior to leaving the meeting.

All persons who have given the Clerk a request to be notified of the decision will be notified within 15 days of the date of the decision. There is a 20 day appeal period following the sending of the notice.

**6. Meeting adjourned by Deputy Mayor Robson**

Moved by Councillor MacKenzie

Seconded by Councillor Churchill

THAT the Public Meeting for the Zoning By-law amendment for 724 Michigan Ave., be adjourned.

CARRIED.

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Deputy Mayor Robson

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CAO/Clerk Peggy Cramp